

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

ERIC D. AYERS,

Plaintiff,

vs.

Civ. No. 18-1015 MV/GJF

MAXWELL H. PINES, et al.,

Defendants.

ORDER TO CURE DEFICIENCY


Plaintiff submitted a “Financial Affidavit, Application to Proceed *In Forma Pauperis* and Order (28 U.S.C. § 1915)” (“Motion”) on November 1, 2018. ECF No. 2. The Court determines that Plaintiff’s Motion is missing the required **certified copy of Plaintiff’s inmate account statement** for the six-month period immediately preceding this filing. This requirement is set forth in 28 U.S.C. § 1915(a)(2):

A prisoner seeking to bring a civil action . . . shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint.

Plaintiff has not submitted the certified inmate account statement as required by 28 U.S.C. § 1915(a)(2). Failure to cure the designated deficiency within thirty (30) days from entry of this Order may result in dismissal of this action without further notice.

IT IS THEREFORE ORDERED that Plaintiff cure the designated deficiency by submitting the required certified copy of Plaintiff’s inmate account statement for the 6-month period immediately preceding this filing within thirty (30) days from the date of this Order.

IT IS SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE